

UNAPPROVED DRAFT
BOARD OF DENTISTRY
MINUTES
SPECIAL CONFERENCE COMMITTEE “B”

TIME AND PLACE: Special Conference Committee “B” convened on March 26, 2010 at 9:16 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE 9:16 a.m.

PRESIDING: Robert B. Hall, Jr., D.D.S.

MEMBERS PRESENT: Herbert R. Boyd, III, D.D.S.
Misty Mesimer, R.D.H

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Shevaun Roukous, Adjudication Specialist

QUORUM: Three members of the Committee were present.

Steven Fisher, D.D.S.
Case No.: 124995 As a preliminary matter, this Informal Conference was continued from February 5, 2010. Dr. Fisher was notified of said continuance by UPS with delivery confirmation. Dr. Fisher did not appear to discuss allegations in accordance with a Notice of the Board dated December 16, 2009. The Committee fully reviewed and discussed the allegations in the Notice.

Closed Meeting: Ms. Mesimer moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene: Ms. Mesimer moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

DECISION:
Case No. 124995 Ms. Ross reported that the Committee found Dr. Fisher practiced in a manner presenting a danger to the health and welfare of his patients by abandoning patient records when he failed to pay rental fees on a storage unit where the records were stored.

The sanctions reported by Ms. Ross were that Dr. Fisher shall be issued a reprimand and assessed a \$2,000 monetary penalty.

Dr. Boyed moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE 10:00 a.m.

PRESIDING: Robert B. Hall, Jr., D.D.S.

MEMBER PRESENT: Herbert R. Boyd, III, D.D.S.
Misty Mesimer, R.D.H

**Virginia Board of Dentistry
Special Conference Committee “B”
March 26, 2010**

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Shevaun Roukous, Adjudication Specialist

QUORUM: Three members of the Committee were present.

**Francis D. Mullen, D.M.D.
Case Nos.: 125833, 126548,
126550** As a preliminary matter, this Informal Conference was continued from February 5, 2010. The Committee received correspondence from Dr. Mullen that he would be unable to attend or send a representative to any Informal Conference. Dr. Mullen did not appear to discuss allegations in accordance with a Notice of the Board dated December 7, 2009. The Committee fully reviewed and discussed the allegations of the Notice.

Closed Meeting: Ms. Mesimer moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene: Ms. Mesimer moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

DECISION: Ms. Ross reported that the Committee found Dr. Mullen in violation of closing his practice without providing proper notification by failing to mail closure letters to all of his patients; failing to publish legal notice prior to closure of the practice; and, failing to inform patients of the procedures for obtaining their treatment records.

Dr. Mullen failed to provide for follow-up care to patients whose treatment was not completed.

The sanctions reported by Ms. Ross were that Dr. Mullen shall be issued a reprimand and assessed a \$2,000 monetary penalty.

Dr. Boyd moved to adopt the decision of the Committee. The motion was seconded and passed.

APPROVAL OF MINUTES: Misty Mesimer, moved to approve the minutes of the Special Conference Committee “B” informal conferences held on December 11, 2009. The motion was seconded and passed.

ADJOURNMENT: With all business concluded, the committee adjourned at 10:24 a.m.

Robert B. Hall, Jr., D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date